

REMARKS

The present Amendment is accompanied by a Request for Continued Examination (RCE) and the applicable filing fee for the RCE.

The decision of the Board of Patent Appeals and Interferences, dated April 19, 2011, affirmed the rejection of Claims 1-20, which were presented for review on appeal. Claim 1, the only independent claim pending in this patent application, was the only claim argued on appeal. At Page 5, last paragraph, and continuing onto Page 6 of the decision by the Board of Patent Appeals and Interferences, the Board concluded that the recitation in Independent Claim 1, that the second key is "stationarily disposed," is sufficiently broad to be met by the disclosure of the Lacombe prior art patent.

In response to this conclusion by the Board of Patent Appeals and Interferences, Applicant has now amended Independent Claim 1 to further distinguish it from Lacombe prior art patent. More specifically, Independent Claim 1 now expressly recites that the stationarily disposed second key is fixedly mounted within a predetermined location in which the container is to be opened. The revision to Independent Claim 1 is supported by the original disclosure of this patent application, which states that the second key is permanently affixed within a location at which the container is to be opened, as for example, the second key is encased within a capsule or casing mounted to a fixed structure 60, as for example a wall of the building at the location in which the container is to be opened (Applicant's Specification, third page, last paragraph; Figure 1 of the drawing).

Applicant respectfully submits that the method defined by Independent Claim 1, as amended herein, is patently distinguishable other than Lacombe patent for the numerous reasons discussed at pages 9-10 of the Appeal Brief filed on August 13, 2008. Moreover, the

recitation regarding the stationarily disposed second key, as now defined in Independent Claim 1, even given its broadest reasonable interpretation, is not disclosed or suggested by the Lacombe patent for the reasons addressed in the previously filed Appeal Brief.

Applicant respectfully submits that Independent Claim 1 is in condition for allowance. The remaining rejected dependent claims, each of which depend directly or indirectly from Independent Claim 1 and include all features of that claim, are allowable, at least for the same reasons as parent Independent Claim 1.

Applicant respectfully submits that this patent application is a condition for allowance, and favorable action is respectfully respected.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. P. Stone', with a stylized flourish at the end.

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